

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

TENNESSEE RAND, INC.,

Plaintiff,

v.

GESTAMP WASHTENAW, LLC,
et al.,

Defendant.

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CASE NO. 1:20-cv-02433

ORDER
[Resolving Doc. [73](#)]

JAMES S. GWIN, UNITED STATES DISTRICT COURT JUDGE:

Defendant Gestamp seeks to seal an exhibit to an expert report.¹ For the foregoing reasons, the Court **GRANTS** the motion

The exhibit Defendant moves to seal contain Plaintiff Tennessee Rand's PLC code. Tennessee Rand claims this code as a trade secret, an issue that is not yet settled at this point in the litigation.²

This Court previously granted Plaintiff Tennessee Rand's motion to seal two expert reports containing its copyrighted code.³ The Sixth Circuit allows trade secrets to be sealed where the proponent makes a "document by document" showing and where the seal is narrowly tailored.⁴ Plaintiff satisfied this burden.⁵

Now, Defendant Gestamp seeks to file an exhibit to an expert report containing the same PLC code. Defendant Gestamp seeks to seal the exhibits because of Plaintiff's trade

¹ Doc. [73](#).

² Doc. [67](#).

³ Doc. [70](#).

⁴ *Shane Group, Inc. v. Blue Cross Blue Shield of Michigan*, 825 F.3d 299, 305 (6th Cir. 2016).

⁵ Doc. [70](#).

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secret claim. Defendant Gestamp does not concede that the information is a trade secret.⁶

Granting this motion to seal provides consistency across rulings. While the issue of whether the information is a trade secret remains in dispute, Plaintiff previously met its burden to seal the code at this stage in the litigation.

For these reasons, the Court **GRANTS** the motion to file the exhibit under seal.

IT IS SO ORDERED.

Dated: October 7, 2021

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

⁶ Doc. [73](#).